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Senate

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Blessed God, we are inspired by Daniel Webster's statement that the greatest conviction of his life was his accountability to You. We ponder that. How would we live today if our dominant thought throughout the day were to be our accountability to You. Help us to play our lives to an audience of One, to You, dear God, seeking first and foremost to please You. We've discovered that real freedom comes when we seek to glorify You and not ourselves, when we are more concerned about what You think of us than what others say about us, and when we are guided by Your truth more than the shifting opinions of others. May this be a day to press forward with resoluteness and resiliency. Through our Lord and Savior. Amen.

The PRESIDENT pro tempore. The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MCCAIN. Mr. President, this morning the Senate will be in a period of morning business until 9:20 a.m. Following morning business, the Senate will recess until 11 a.m. to allow the Senate to proceed as a body to the House Chamber for a joint meeting to receive an address by the President of Romania.

When the Senate reconvenes at 11 a.m., under the previous order there

will be 3 hours for debate equally divided on a Daschle amendment regarding marketing assistance loans. It is expected that some debate time will be yielded back, and therefore the first rollcall vote of today's session is expected to occur prior to 2 p.m. It is expected that the Senate will work late into the evening, with votes, in an effort to complete action on the agricultural appropriations bill.

As always, the Senate may also turn to the consideration of any other legislative or executive items cleared for action.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for morning business.

Mr. MCCAIN. Mr. President, as under the previous order, I would like to take my 5 minutes.

The PRESIDENT pro tempore. The Senator is recognized.

THANKING THE SENATOR FROM SOUTH CAROLINA

Mr. MCCAIN. Mr. President, first of all, I would like to extend my deep appreciation to the President pro tempore, the Senator from South Carolina, for coming in earlier than the usual hour this morning. I am grateful to him. And I am also very pleased to have the opportunity to be working with the Senator from South Carolina as we move forward on completion of the very important Strom Thurmond defense authorization bill. I am eternally grateful to him for the many kindnesses he has extended to me, now for more years than he and I would like to recount.

INTERNET SCHOOL FILTERING ACT

Mr. MCCAIN. Mr. President, in today's USA Today there is an article

which states there is a possibility that on a live site, a web site—and I emphasize "possibility"; that is being advertised—that two 18-year-olds will have sex live on the Internet on August 4.

It also noted that there is considerable doubt about the validity of this web site and, in fact, the entire site may be a hoax. For the sake of this Nation, I hope it is nothing but a hoax. If it is, it is neither clever nor humorous, and if it is not, then something has to be done, I think, to protect our children from witnessing this event.

Again, I want to emphasize, I hope that this is a hoax and nothing more. But what it does is highlight the problem that exists concerning the proliferation of pornography on the Internet, some of that pornography being child pornography and some of it being the kind of obscenity that the U.S. Supreme Court has stated is beyond constitutional protections.

Mr. President, I ask unanimous consent that the article in this morning's USA Today be printed in the RECORD. It is entitled "Net to break ground in virgin territory; But many suspect site is hoax."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From USA Today, July 15, 1998]

NET TO BREAK GROUND IN VIRGIN TERRITORY—BUT MANY SUSPECT SITE IS HOAX
(By Karen Thomas)

Thought a woman giving birth on the Internet was outrageous?

Now a Web site is saying it will broadcast a couple, purported to be 18-year-old virgins named Mike and Diane, having sex for the first time Aug. 4.

But many posting messages on the site were skeptical. "This page is a money-making hoax," wrote one visitor. "Mike and Diane are 36-year-old porn stars."

Visitors also noted that the couple, pictured in bathing suits with faces obscured, looked too perfect and well-developed to be average 18-year-olds. Other details sounded like a soap opera script: They haven't told their parents their plans; one father is a minister; the teens are both honor students

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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and "All-American" kids; they're both active in school and church. Neither was available to talk to reporters Tuesday.

The idea for the stunt was Diane's, says Oscar Wells, a California Web page designer who says he met Diane in an on-line chat room during the Internet birth last month. "She thought (the birth) was educational but said if they showed someone making love, it would be considered obscene. She made the offhand remark, 'If I could, I'd lose my virginity on line to make the point.' I said, 'If you're serious, I can facilitate that.'"

The "Our First Time" site is hosted by Wisconsin-based The Enchanted Web. Owner Craig Brittan says most of his customers are adult Web sites.

Among those expressing outrage Tuesday was Sen. John McCain, R-Ariz., who called the announcement "disgraceful . . . garbage." He is the sponsor of a bill that would require libraries and schools receiving federal funds to install filtering software on public computers. "This will provide the impetus to get legislation done."

Mr. MCCAIN. Mr. President, we are not talking about censorship here. I want to emphasize, I do not support censorship in any form, and we are not talking about that. What we are talking about is legislation that would require schools and libraries to have some kind of filtering device on their computers. Children are not allowed into "Adult Only" stores that sell and make available adult material. Children are not allowed to purchase "Adult Only" magazines. And our society has decided, in its collective wisdom, that we should let children be children as long as possible and not expose them to certain activities and events.

If individual parents want to make such information available to children, that is their choice. I do not begrudge them that. But children should not be allowed to enter school or a public library and gain access to material that their parents would never allow them to see and that most in society believe is inappropriate for those who are yet to be adults. It is for that reason I urge my colleagues to support and pass soon S. 1619, the Internet School Filtering Act. Senator HOLLINGS, the ranking member of the committee, along with Senators COATS and MURRAY, has joined me in introducing this legislation. I thank them for their support.

A Government program known as the e-rate provides Federal subsidies to schools and libraries so that they can receive discounted Internet access. This legislation would require these institutions benefiting from this program to restrict children's access to harmful Internet content through the use of a filtering device on their computers.

These institutions would be free to choose from a myriad of filtering tools that are now available, and they alone would determine what materials are inappropriate for children based on local community standards.

The Commerce Department recently found that more than 100 million people are now using the Internet and Internet usage is doubling every 100 days. We can expect children to comprise a large portion of these new users

as the e-rate and other Government and private programs help make Internet access possible for schools and libraries across the country.

What troubles me is that schools and libraries are availing themselves of enormous Government subsidies to make the Internet more accessible to children, and at the same time they are attempting to undermine our effort to protect our children from harmful on-line material.

From the outset, these groups have opposed the legislation and have argued in favor of an "acceptable use policy."

I don't agree that would be an adequate means of protecting children from the thousands of pornographic sites available on the World Wide Web. I believe implementing a use policy alone would be completely ineffective.

Mr. President, we must act now to require the use of filters. We must take immediate steps to prevent the Internet from doing more harm than good by bringing such offensive materials into our Nation's schools and libraries.

Again, I submit for the RECORD material off a web site called "Our First Time," which is entitled, "Tuesday, August 4, 1998, World and Internet History Will Be Made," and it begins, "Come and meet Diane and Mike, two 18-year-old honor students."

I ask unanimous consent that this web site material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OUR FIRST TIME

ON TUESDAY, AUGUST 4, 1998 AT 6 P.M. PACIFIC TIME, WORLD AND INTERNET HISTORY WILL BE MADE!

Come and meet Diane and Mike, two 18 year old "Honor" students who have recently graduated from high school, and are looking forward to starting college in the fall. They are as close to being "typical All-American" kids as you can get. Active in school and church. Well liked by family, friends, and their community—but sexually, they are both virgins. Their lives are going to change in a unique and dramatic way. They are about to leave the safety of youth, accept the challenges of adulthood, and take that frightening . . . but wonderful, step into adult sexuality. There's one big difference . . . they are going to let the world come along and witness their lives over a 18 day period as this adventure unfolds, when they lose their virginity together. . . .

WHY ARE THEY DOING THIS?

Recently, Diane & Mike witnessed the live birth of a child on the Internet. They then decided to make this point—

"The live birth of a child on the Internet was a beautiful event. We want to show that the act of making love, which is the first step that brought that live birth about, is just as beautiful—and nothing to be ashamed of."

The "Our First Time" website will open on July 18, 1998—and will follow the daily adventures of Diane & Mike for 18 days, as they meet the challenges of making their "statement of love" on August 4.

Mr. MCCAIN. Mr. President, I hope this is a hoax. I hope it is not true. If

it is true, then I can't tell you how disturbed all of us should be and will be, but it is also indicative that if even a hoax like this, if it is a hoax, should be proposed, it shows there is a significant problem in America today.

Mr. President, I hope we will do something about it. I thank the Chair.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor this morning to join my colleague from Arizona, Senator MCCAIN, in urging the Senate to adopt S. 1619, the child-safe Internet bill.

Since I have been here for the last 6 years, I have worked long and hard to get computers and technology into our schools. I have sponsored legislation to allow surplus Government computers to be put into schools. I have worked hard to have the e-rate established so that many of our schools can be connected to the Internet. I have been out in schools, and I know personally what a great educational tool the technology and Internet system is that we have available today.

I want our students and I want our teachers to have access to this information. But Senator MCCAIN is absolutely correct. There is a small amount of information on the Internet that should not be there to which our young children have unfettered access.

S. 1619, the child-safe Internet bill, simply requires any school or library that uses the e-rate, uses taxpayer money to put technology in, be required to have a filtering device so that inappropriate material is not seen by young children.

The filtering device is a local control device. The school district—the schools—will determine which filtering device and how to use it at their own school. The same with the libraries.

This is an issue on which I have worked long and hard. I care deeply about the fact that many of our young children today and, frankly, many of our parents want to use the Internet but they don't know how to without getting into information or having their children have access to information that is simply inappropriate.

I talked with a seventh grade teacher several weeks ago who turned off the Internet in her classroom because she said it is simply impossible to watch 30 young students at their computers all of the time. She did not want a situation where a child got into a pornographic or inappropriate site, went home, complained to their parent, have a parent come screaming back to her classroom, and she would be responsible for that. She turned off the Internet.

This is going to cause concern among all of our educational facilities across our country if teachers don't have the kind of information available without a filtering device.

The bill is simple. It is common sense. It is the right way to go, and I

urge all of our colleagues to push to have this bill come to the floor and to pass it. It is the right way to go.

I did oppose the CDA Act from several years ago. I knew it was unconstitutional. I knew it would be thrown out. We cannot afford to go through that kind of debate again. This is a problem that needs to be answered today, and the child-safe Internet bill does it in a commonsense, safe way. Most parents would not send a child to a playground in their local community unsupervised. We cannot allow our young children to be in the Internet unsupervised. The child-safe Internet bill is the right way to go. It is a local control way to make our technology work for all students, and I urge all of my colleagues to be supportive of this approach. I urge our leadership to bring it to the floor as soon as possible.

Thank you, and I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I am proud to stand and join my colleagues from Arizona and Washington in voicing concerns about the spread of pornography on the Internet and the general direction in which the information superhighway is moving.

Like my colleagues, I am very troubled by the story that USA Today carried this morning about a particular web site—www.ourfirsttime.com—that is promising to broadcast a video feed of two 18-year-old high school graduates having sexual intercourse for the first time as it happens next month.

As Senator McCAIN indicated, it may be that this site is a hoax, but it makes a statement about the Internet and the values in cyberspace which is all too real, because it shows that there are practically no stop signs on the information superhighway.

The important point here is that two teenagers could quite easily decide to do this and invite every wired American child effectively to a live sex show, regardless of their age, which tells us that there are no recognizable boundaries in cyberspace, no common standards of decency or taste, or any shared sense of accountability. Anyone can do just about anything, and they often do.

This is no revelation to experienced "netizens" who are well aware of the wide array of sites concerning bomb-making, bestiality, and many other expressions of antisocial behavior and deviancy. They know that the net, while offering incredible riches of information, education, and communication, has also managed to catch just about every form of depravity and antisocial behavior and put it on display for all the world and our children to see.

Yet, for many nonwired Americans, the extremes of online perversity may be news, and these citizens, particularly the parents, have every right to be fearful about what is lurking around the net's next corner.

What they will find, I am afraid, is not just more and more pornography for kids to latch on to, but less and less moral certainty, fewer brightly lines of right and wrong, the kind that are critical to living in a free, decent, civil society. One of those bright lines we never used to question was our responsibility as adults to protect our children from harm, both physical and moral, which meant shielding them from violence and carefully setting sexual boundaries for them as they grow.

In recent years, our commitment to this common value seems to have weakened, giving rise to a popular culture that is replete with gunplay and foreplay, with violence and public displays and comments on all forms of sexual behavior, and it teaches children the worst kind of lessons about what is acceptable. Today, unfortunately, this extraordinary development in our lives, the Internet, which has so enriched our lives in so many ways, has also become the highest tech distillation of this anything-goes mentality.

Senator McCAIN and Senator MURRAY have been forceful advocates for drawing basic lines of online decency and setting basic standards of online behavior. I applaud their leadership on this front. In particular, I appreciate their efforts to promote responsible use of the Internet at schools and libraries. I hope we have a chance to consider their legislation on the floor soon.

Mr. President, in the best of all worlds, which is to say what we hope this online world might be, the responsibility for drawing lines and setting standards really should fall to the leaders of the Internet community.

I have said over and over again in my comments about television and video games and records, for instance, that I am extremely reluctant to resort to governmental restrictions on speech or any forms of expression and much prefer self-regulation. Also, given the sophistication of the net's underlying technology, I doubt that a legally mandated solution to the pornography problem will be as effective as we would want it to be in reaching our common goal of protecting children.

It was for these reasons that I voted against the Communications Decency Act, and it was for those reasons that I recently began working with Representative RICK WHITE of Washington State to push the Internet community to get moving on this issue. Nine days ago, we sent a letter to the major participants in last December's Online Summit expressing our concern about the industry's lack of action and calling on them to collaborate on a comprehensive plan to help parents keep their kids safe online. We made it clear that we did not want to pursue legislation but that we, along with a host of other Members of Congress from both parties, would have no choice but to vote for Government standards if the industry did not respond with an effective solution.

So, in sum, Mr. President, we are still waiting for a response to our letter. My hope is that the news about the "our first time," and the forcefulness of the statements we are making today, will help to focus the Internet community's attention on the seriousness of this problem and prod them to produce some tangible results. In the meantime, I hope our comments will raise the awareness of America's parents about the threat that the Internet can pose to children and encourage them to pay closer attention to their children's online activities.

I thank the Chair, and I yield the floor.

Mr. McCAIN. Mr. President, I believe there is no further business before the Senate. I move we—

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I just want to join my colleagues here in urging our leaders and urging the Senate to move forward on legislation that has been debated and discussed and passed by the Senate that needs to be revisited. The Supreme Court struck down language I offered more than a year ago that was passed by this body by a 84-16 margin, passed by the House of Representatives, and signed by the President of the United States.

That legislation attempts to address the commercial purveyors of pornography over the Internet—as invasive a practice as anything that we have seen. It makes the corner pornography shop pale in comparison in terms of access to some of the rawest, most explicit material that is available today, and it makes it available to children through the click of a mouse—in their room, in their home room, in their library, wherever a computer terminal is placed. It is easy access.

In fact, it is an invasive practice that even the most innocent of typed-in requests can bring a flood of material that should never be accessible to children. It is even questionable whether it should be accessible to adults. The first amendment puts some pretty severe restrictions on us in terms of what we can do.

We carefully drafted and designed our Internet pornography bill to address first amendment concerns. For some reason, the Court chose to distinguish the Internet from other forms of communication, and the very standard which the Court approved for telephone dial-a-porn messages was rejected for computer messages, saying that the Internet is a completely different mode of communication, not as invasive as the telephone.

I think the Court is behind the times in terms of understanding how the computer works. I understand that. I am of the generation that is not quite sure even how to turn the thing on. For the younger generation, it is as easy and accessible and as comfortable for them to operate as for those of us who learned to drive a car when we were

young or the technology that we adapt in our generation.

Nevertheless, the Court has ruled. We took that ruling. We modified the language to comply with the Court's restrictions. I have been attempting to bring this bill to the floor for several months. We have been blocked in doing so, not because it does not enjoy a majority of the vote but because the computer industry and the Internet industry do not want any restraint whatsoever.

We are trying to protect the innocence of children. We are trying to give parents a tool by which they can protect their children. We are trying to put penalties in place which will allow us to enforce restrictions against commercial purveyors of pornography that is harmful to minors. We have revised the standard to comply with the Supreme Court dictates, and we trust that this new legislation will pass Court muster. But in order to do so, it has to pass this body first. I think we are at the point of resolving the holds and the differences of opinion on how to proceed with this legislation.

Senator MCCAIN has legislation which provides access to software packages that are a help, but an imperfect help, in terms of dealing with the problem. I have legislation which I guess would be described as a stick to go along with the McCain carrot, the hammer to lay down the enforcement and put the penalties in place, put the restrictions in place. I think the two are very necessary for us to try to get a handle on this problem. It will not fully solve the problem.

The first line of defense has to be the family. It has to be the parents, has to be their oversight of what their children have access to—not only in the home but in the school, in the library. It is disappointing that schools and libraries—in particular, library associations—have opposed what we are trying to do. We think we have a consensus now on how to move forward. I am pleased that we are closing in on that and urge our colleagues to support the efforts that will take place shortly.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 11 a.m.

Thereupon, at 9:26 a.m., the Senate recessed until 11:00; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. HUTCHINSON).

The PRESIDING OFFICER. In my capacity as a Senator from the state of Arkansas, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The PRESIDING OFFICER. The Senate will now resume consideration of S. 2159, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2159) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Daschle amendment No. 3146, to provide a safety net for farmers and consumers regarding marketing assistance loans.

AMENDMENT NO. 3146

The PRESIDING OFFICER. Under the previous order, there will now be 3 hours' debate on the Daschle amendment numbered 3146.

Under the previous order the Senator from Mississippi, Mr. COCHRAN, is recognized.

Mr. COCHRAN. Mr. President, as I understand it, the time is equally divided. In view of the fact that this is an amendment offered by the Senator from South Dakota, I presume he or some other person who supports his amendment will come to discuss the provisions of the amendment for the benefit of the Senate.

Until that time arrives, if I suggest the absence of a quorum, I believe time would run equally against the proponents and the opponents of the amendment, is that correct?

The PRESIDING OFFICER. That would require unanimous consent.

Mr. COCHRAN. I ask unanimous consent to that effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO MAX FISHER, OF MICHIGAN

Mr. ABRAHAM. Mr. President, I rise today to actually announce to the Sen-

ate and to, at least from a distance, celebrate the 90th birthday of one of the great citizens of my State of Michigan, and also one of the truly great citizens of America, Max Fisher.

Mr. Fisher is a friend of many of us who have served in public office—certainly in Michigan, and even here at the national level—because of his longstanding involvement in the political process. But he is much more than a political activist, he is a business leader of great renown, having built very successful companies in our State and around the country. He has grown those companies and employed many, many Americans in a variety of different functions.

After establishing his business success, he then turned his attention to our State of Michigan and, most particularly, to his hometown of Detroit. There, for the last several decades, he has been one of the community's great leaders, very much involved in the development of Detroit, the rebirth of Detroit after the riots in that city in the sixties. He has been very active in the governance of southeastern Michigan in a variety of ways, investing his own time and resources in many worthwhile causes aimed at making certain that the Detroit metropolitan area remained a strong, economically vibrant, compassionate community, which it is today.

Mr. Fisher's involvements go beyond, however, his own hometown. He became active in the political process in the early 1960s. He became very involved in the activities of the then Governor George Romney, and then through that he began an involvement with the Republican Party on a national level. His interests, however, transcended his party. It clearly is an interest born of a love of this country and of the issues we confront. As a consequence, he has served as an advisor to many who have held office, both in the U.S. Senate and in the House of Representatives, and even the Presidency itself. He has been a close advisor and a close friend to Presidents Nixon, Ford, Reagan, and Bush, and I believe also some on the other side of the aisle as well. Indeed, tonight, at a celebration of his 90th birthday, several of our former Presidents will be in attendance to demonstrate their friendship and admiration for him.

Max Fisher's interests have gone beyond the shores of the United States as well. He is a great champion of the nation of Israel. He has played a very active role in the American Jewish community, various organizations and foundations; and, through several of those, he has provided a great deal of support and assistance to the development of the nation of Israel. I know that he is held in great esteem there as he is here in the United States.

His interest in others transcends just one particular cause. It basically applies to virtually every cause I am familiar with. His name is inevitably linked to charitable organizations, to